

H.J. Res. 70, Joint resolution authorizing the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr. in the District of Columbia or its environs; to the Committee on House Oversight.

MEMORIALS

Under clause 4 of rule XXII.

18. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to the Low-Income Energy Assistance Program [LIHEAP]; jointly, to the Committees on Commerce and Economic and Educational Opportunities.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Ms. LOFGREN introduced a bill (H.R. 1087) for the relief of Nguyen Quy An and Nguyen Ngoc Kim Quy; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 28: Mr. LAHOOD.
H.R. 40: Mr. ORTON, Mr. NETHERCUTT, Mrs. SEASTRAND, Mr. WALSH, Mr. FIELDS of Texas, Mr. TALENT, Mr. PAXON, Mr. EMERSON, Mr. CHRYSLER, and Mr. HOSTETTLER.
H.R. 70: Mr. BILBRAY.
H.R. 200: Mr. ROEMER, Mr. CANADY, and Mr. VISCLOSKEY.
H.R. 246: Mr. BASS, Mr. HOEKSTRA, Mr. GRAHAM, Mr. BARRETT of Nebraska, Mr. HUTCHINSON, Mr. NORWOOD, and Mr. GREENWOOD.
H.R. 315: Ms. LOFGREN.
H.R. 325: Mr. BENTSEN, Mrs. WALDHOLTZ, Mrs. SEASTRAND, Mr. COX, Mr. QUINN, Mr. DREIER, Mr. HANCOCK, Mr. KLUG, Mr. PETRI, Mr. STEARNS, Mr. NETHERCUTT, Mr. BACHUS, Mr. ROGERS, Mr. LEWIS of California, and Mr. HAYES.
H.R. 328: Mr. HAYES.
H.R. 353: Mr. RICHARDSON, Mr. FALEOMAVAEGA, and Mr. EVANS.
H.R. 354: Mr. BAKER of Louisiana and Mr. WICKER.
H.R. 363: Mr. NADLER and Mr. SERRANO.
H.R. 394: Mr. KIM, Mr. FALEOMAVAEGA, Mr. WELDON of Florida, Mr. CHAPMAN, Mr. HERGER, and Mr. LEWIS of California.
H.R. 427: Mr. PETE GEREN of Texas, Mr. STENHOLM, Mr. FOLEY, Mr. FIELDS of Texas, and Mr. MCKEON.
H.R. 502: Mr. RIGGS, Mr. KIM, Mrs. MEYERS of Kansas, Mr. SMITH of Texas, and Mr. JOHNSTON of Florida.
H.R. 526: Mr. DOOLITTLE, Mr. WELLER, Mr. LAHOOD, and Mr. REGULA.
H.R. 580: Mr. MCCRERY and Mr. TAYLOR of North Carolina.
H.R. 645: Mr. FROST and Mr. TUCKER.
H.R. 662: Mr. BACHUS and Mr. ALLARD.
H.R. 699: Mr. PETE GEREN of Texas, Mr. BREWSTER, and Mr. RICHARDSON.
H.R. 710: Mr. ENGEL.
H.R. 736: Mr. BAKER of Louisiana and Mr. LAHOOD.
H.R. 739: Mr. WELDON of Florida, Mr. STOCKMAN, Mr. COX, Mr. HERGER, and Mr. SHUSTER.
H.R. 743: Mr. HUTCHINSON, Mr. DEAL of Georgia, Mr. KLUG, and Mr. MILLER of Florida.
H.R. 773: Mr. KNOLLENBERG, Ms. RIVERS, Mr. ROYCE, Mr. BEILENSON, Mr. SCHUMER, Mr. GUNDERSON, Ms. SLAUGHTER, Mr. MARKEY, Mr. SHAYS, Mr. KLUG, and Mr. RICHARDSON.

H.R. 774: Mr. EHLERS, Mr. FIELDS of Texas, and Mr. CALVERT.

H.R. 789: Mr. MCKEON and Mr. LIPINSKI.

H.R. 791: Mr. GOSS and Mr. BARTON of Texas.

H.R. 793: Mr. WICKER.

H.R. 849: Mr. CUNNINGHAM, Mr. WELDON of Pennsylvania, Mr. VENTO, Mr. PALLONE, Mr. FROST, Mr. LANTOS, Mr. JOHNSTON of Florida, Mr. HUTCHINSON, and Mr. KLINK.

H.R. 860: Mr. SENSENBRENNER and Mr. WHITFIELD.

H.R. 862: Mr. SMITH of New Jersey.

H.R. 911: Mr. PASTOR.

H.R. 922: Ms. LOFGREN, Mr. PALLONE, and Mr. BORSKI.

H.R. 930: Mr. FILNER.

H.R. 939: Mr. EMERSON and Mr. STUPAK.

H.R. 940: Mr. DEFazio, Mr. BORSKI, and Mr. JOHNSTON of Florida.

H.R. 941: Mr. PAYNE of Virginia, Mr. TORRICELLI, Ms. WATERS, Mr. YATES, Mr. JOHNSTON of Florida, Ms. ESHOO, Mr. WARD, Mr. MORAN, Mr. MILLER of California, Mr. GEJDENSON, and Mr. ACKERMAN.

H.R. 966: Mr. MILLER of California and Mr. MARTINEZ.

H.R. 971: Mr. OBERSTAR and Mr. GEJDENSON.

H.R. 1021: Mr. RICHARDSON.

H.R. 1024: Mr. LAHOOD.

H.R. 1033: Mr. TOWNS and Mr. SMITH of New Jersey.

H. Con. Res. 18: Mr. KLINK, Ms. KAPTUR, Mr. DELLUMS, Mr. EVANS, Mr. NEY, and Ms. MCKINNEY.

H. Con. Res. 21: Mr. DEFazio, Mr. PALLONE, Ms. ROYBAL-ALLARD, Mrs. SCHROEDER, and Mr. WOLF.

H. Res. 30: Mr. SHAW, Mr. ACKERMAN, Mr. THORNBERRY, Mr. ALLARD, Mr. FOLEY, Mr. NADLER, Mr. OLVER, Mr. DAVIS, and Mr. MEEHAN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 70: Mr. TORRES.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 925

OFFERED BY: Mr. CANADY OF FLORIDA

AMENDMENT NO. 6: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Private Property Protection Act of 1995".

SEC. 2. FEDERAL POLICY AND DIRECTION.

(a) GENERAL POLICY.—It is the policy of the Federal Government that no law or agency action should limit the use of privately owned property so as to diminish its value.

(b) APPLICATION TO FEDERAL AGENCY ACTION.—Each Federal agency, officer, and employee should exercise Federal authority to ensure that agency action will not limit the use of privately owned property so as to diminish its value.

SEC. 3. RIGHT TO COMPENSATION.

(a) IN GENERAL.—The Federal Government shall compensate an owner of property whose use of any portion of that property has been limited by an agency action that diminishes the fair market value of that portion by 10 percent or more. The amount of the compensation shall equal the diminution in value that resulted from the agency action.

(b) DURATION OF LIMITATION ON USE.—Property with respect to which compensation has been paid under this Act shall not thereafter be used contrary to the limitation imposed by the agency action, even if that action is later rescinded or otherwise vitiated. However, if that action is later rescinded or otherwise vitiated, and the owner elects to refund the amount of the compensation, adjusted for inflation, to the Treasury of the United States, the property may be so used.

SEC. 4. EFFECT OF STATE LAW.

No compensation shall be made under this Act if the use limited by Federal agency action is proscribed under the law of the State in which the property is located (other than a proscription required by a Federal law, either directly or as a condition for assistance). If a use is a nuisance as defined by the law of a State or is prohibited under a local zoning ordinance, that use is proscribed for the purposes of this subsection.

SEC. 5. EXCEPTIONS.

(a) PREVENTION OF HAZARD TO HEALTH OR SAFETY OR DAMAGE TO SPECIFIC PROPERTY.—No compensation shall be made under this Act with respect to an agency action the primary purpose of which is to prevent an identifiable—

(1) hazard to public health or safety; or
(2) damage to specific property other than the property whose use is limited.

(b) NAVIGATION SERVITUDE.—No compensation shall be made under this Act with respect to an agency action pursuant to the Federal navigation servitude, as defined by the courts of the United States, except to the extent such servitude is interpreted to apply to wetlands.

SEC. 6. PROCEDURE.

(a) REQUEST OF OWNER.—An owner seeking compensation under this Act shall make a written request for compensation to the agency whose agency action resulted in the limitation. No such request may be made later than 180 days after the owner receives actual notice of that agency action.

(b) NEGOTIATIONS.—The agency may bargain with that owner to establish the amount of the compensation. If the agency and the owner agree to such an amount, the agency shall promptly pay the owner the amount agreed upon.

(c) CHOICE OF REMEDIES.—If, not later than 180 days after the written request is made, the parties do not come to an agreement as to the right to and amount of compensation, the owner may choose to take the matter to binding arbitration or seek compensation in a civil action.

(d) ARBITRATION.—The procedures that govern the arbitration shall, as nearly as practicable, be those established under title 9, United States Code, for arbitration proceedings to which that title applies. An award made in such arbitration costs (including appraisal fees). The agency shall promptly pay any award made to the owner.

(e) CIVIL ACTION.—An owner who does not choose arbitration, or who does not receive prompt payment when required by this section, may obtain appropriate relief in a civil action against the agency. An owner who prevails in a civil action under this section shall be entitled to, and the agency shall be liable for, a reasonable attorney's fee and other litigation costs (including appraisal fees). The court shall award interest on the amount of any compensation from the time of the limitation.

(f) SOURCE OF PAYMENTS.—Any payment made under this section to an owner, and any judgment obtained by an owner in a civil action under this section shall, notwithstanding any other provision of law, be made from the annual appropriation of the agency whose action occasioned the payment or